

FILED  
BILLINGS DIV.  
2010 MAY 18 PM 12 03  
PATRICK E. DUFFY, CLERK  
BY \_\_\_\_\_  
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA,  
BILLINGS DIVISION

DENISE FABRIZIUS and  
WILLIAM FABRIZIUS,

Plaintiffs,

v.

KEITH R. SHULTZ, M.D.,

Defendant.

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Cause No. 08-114-BLG-RFC

**SPECIAL VERDICT**

All seven (7) of your number must decide and agree on each of the following questions.

WE, THE JURY, ANSWER THE FOLLOWING QUESTIONS:

**QUESTION NO. 1:** Was Dr. Shultz negligent?

**ANSWER:**

Yes \_\_\_\_\_

No ☒ \_\_\_\_\_

**(NOTE TO JURORS:)**

If you have answered Question No. 1 "NO," then do not answer any further questions. The foreperson should sign the Special Verdict form on page 3. The bailiff should be notified that the jury has concluded its deliberations and reached a verdict. The bailiff will then notify the Judge and return you to the courtroom.

If you have answered Question No. 1 "YES," then you must answer Question No. 2.

**QUESTION NO. 2:** Was Dr. Shultz's negligence a cause of the injury to Denise Fabrizius?

**ANSWER:**

Yes \_\_\_\_\_

No \_\_\_\_\_

**(NOTE TO JURORS:)**

If you have answered Question No. 2 and your answer is "NO," do not answer any further questions. The foreperson should sign the Special Verdict form on page 3. The bailiff should be notified that the jury has concluded its deliberations and reached a verdict. The bailiff will then notify the Judge and return you to the courtroom.

If you have answered Question No. 2 and your answer was "YES," then you must answer Question No. 3.

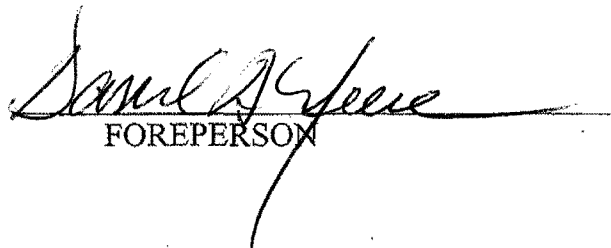
**QUESTION NO. 3:** What is the amount of Plaintiffs' damages?

**ANSWER:**

Past medical care, treatment and services	\$ _____
Future medical care, treatment and services	\$ _____
Past lost earnings	\$ _____
Future lost earnings	\$ _____
Past loss of household services	\$ _____
Future loss of household services	\$ _____
Loss of enjoyment of life	\$ _____
Physical pain and emotional pain and suffering	\$ _____
Billy Fabrizius' loss of consortium	\$ _____
<b>TOTAL</b>	<b>\$ _____</b>

After answering the questions, date and sign the Special Verdict form and contact the bailiff.

DATED this 18<sup>th</sup> day of May, 2010.

  
FOREPERSON